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UTILITY
PATENT APPLICATION
TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 010072.02

First Inventor SHERRILL

Title THERAPEUTIC FORMULATIONS

Express Mail Label No. EL 881613674

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO: Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

- Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
- Applicant claims small entity status.
See 37 CFR 1.27.
- Specification [Total Pages 22]
(preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
- Drawing(s) (35 U.S.C. 113) [Total Sheets _____]
- Oath or Declaration [Total Sheets _____]
 - a. Newly executed (original or copy)
 - b. Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 18 completed)
 - i. **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) name in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
- Application Data Sheet. See 37 CFR 1.76

7. CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
 - a. Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. CD-ROM or CD-R (2 copies); or
 - ii. Paper
- c. Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. Assignment Papers (cover sheet & document(s))
10. 37 CFR 3.73(b) Statement Power of (when there is an assignee) Attorney
11. English Translation Document (if applicable)
12. Information Disclosure Statement (IDS)/PTO-1449 Copies of IDS Citations
13. Preliminary Amendment
14. Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
15. Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. Other:

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR 1.76:

 Continuation Divisional Continuation-in-part (CIP) of prior application No.:

Prior application information:

Examiner _____

Art Unit: _____

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

<input checked="" type="checkbox"/> Customer Number:	000034499		OR	<input type="checkbox"/> Correspondence address below	
Name	KOSAN BIOSCIENCES, INC.				
Address	3832 BAY CENTER PLACE				
City	HAYWARD	State	CA	Zip Code	94545
Country	UNITED STATES OF AMERICA	Telephone	510-731-5156	Fax	510-731-5143
Name (Print/Type)	Yuan Chao, Esq.		Registration No. (Attorney/Agent)	32,118	
Signature			Date	OCTOBER 9, 2003	

This collection of information is required by 37 CFR 1.53(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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CERTIFICATE OF EXPRESS MAILING

I hereby certify that this paper and the documents and/or fees referred to as attached therein are being deposited with the United States Postal Service on OCT. 9, 2003 in an envelope as "Express Mail Post Office to Addressee" service under 37 CFR Sec. 1.10, Mailing Label Number EL 881613674, addressed to Mail Stop PATENT APPLICATIONS, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Mary J. Sapp
Signature16834 10/683952
U.S. PTO
100903

FEE TRANSMITTAL

for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 786.00)

METHOD OF PAYMENT (check all that apply)

Check Credit card Money Order Other None

Deposit Account:

Deposit Account Number

Deposit Account Name

The Director is authorized to: (check all that apply)

Charge fee(s) indicated below Credit any overpayments

Charge any additional fee(s) during the pendency of this application

Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1001 750	2001 375			Utility filing fee	750.00
1002 330	2002 165			Design filing fee	
1003 520	2003 260			Plant filing fee	
1004 750	2004 375			Reissue filing fee	
1005 160	2005 80			Provisional filing fee	
SUBTOTAL (1)		(\$)			

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

		Extra Claims	Fee from below	Fee Paid
Total Claims	22	-20** =	2 X 18 =	36
Independent Claims		- 3** =		
Multiple Dependent				

Large Entity	Small Entity	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 84	2201 42	Independent claims in excess of 3
1203 280	2203 140	Multiple dependent claim, if not paid
1204 84	2204 42	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2)		(\$ 36.00)

**or number previously paid, if greater; For Reissues, see above

Complete if Known	
Application Number	not assigned
Filing Date	October 9, 2003
First Named Inventor	Sherrill
Examiner Name	not assigned
Art Unit	not assigned
Attorney Docket No.	010072.02

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	2051	65	Surcharge - late filing fee or oath	
1052 50	2052 25	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	1053	130	Non-English specification	
1812 2,520	1812 2,520	1812	2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	2251	55	Extension for reply within first month	
1252 410	2252 205	2252	205	Extension for reply within second month	
1253 930	2253 465	2253	465	Extension for reply within third month	
1254 1,450	2254 725	2254	725	Extension for reply within fourth month	
1255 1,970	2255 985	2255	985	Extension for reply within fifth month	
1401 320	2401 160	2401	160	Notice of Appeal	
1402 320	2402 160	2402	160	Filing a brief in support of an appeal	
1403 280	2403 140	2403	140	Request for oral hearing	
1451 1,510	1451 1,510	1451	1,510	Petition to institute a public use proceeding	
1452 110	2452 55	2452	55	Petition to revive - unavoidable	
1453 1,300	2453 650	2453	650	Petition to revive - unintentional	
1501 1,300	2501 650	2501	650	Utility issue fee (or reissue)	
1502 470	2502 235	2502	235	Design issue fee	
1503 630	2503 315	2503	315	Plant issue fee	
1460 130	1460 130	1460	130	Petitions to the Commissioner	
1807 50	1807 50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	1806	180	Submission of Information Disclosure Stmt	
8021 40	8021 40	8021	40	Recording each patent assignment per property (times number of properties)	
1809 750	2809 375	2809	375	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 750	2810 375	2810	375	For each additional invention to be examined (37 CFR 1.129(b))	
1801 750	2801 375	2801	375	Request for Continued Examination (RCE)	
1802 900	1802 900	1802	900	Request for expedited examination of a design application	
Other fee (specify) _____					
*Reduced by Basic Filing Fee Paid					
		SUBTOTAL (3) (\$)			

(Complete if applicable)

Name (Print/Type)	Yuan Chao, Esq.	Registration No. (Attorney/Agent)	32,118	Telephone	510-731-5156
Signature				Date	October 9, 2003

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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